

Remarks

Claims 1-2 and 6-12 are currently pending. Claims 3-5 have been withdrawn from consideration in the present application. The independent claims are claims 1, 2, and 6. Claims 7-11 depend from claim 6, and claim 12 depends from claim 2.

The Examiner has objected to minor informalities in paragraphs 52 and 74 of the Specification. These paragraphs have been amended to address these informalities, and Applicant respectfully submits that the amended paragraphs should be in acceptable form.

The Examiner has rejected claim 1 as being anticipated by the Lykken et al reference. Applicant respectfully traverses that ground for rejection. Claim 1 has been amended to positively recite the frame and the pivotal connection between the top tandem arm and the frame. Claim 1 requires that the top tandem arm be pivotally mounted to the frame such that the top pivot arm will pivot in a substantially vertical plane. However the structure in Lykken that corresponds to the top tandem arm, namely the idler wheel carriage (element 102), is fixedly mounted to the transverse beams 20 by bolts 174. See Lykken at col. 4, lines 13-28 and Figs. 3 and 1. Therefore, the idler wheel carriage in Lykken is fixedly mounted to the frame and does not pivot relative to the frame. Therefore, Lykken does not show a top tandem wheel that is pivotally mounted to a frame. As a result, claim 1 should be allowable over Lykken. Applicant also reserves the right to establish that his invention predates the Lykken reference.

The Examiner has already indicated that claim 2 is allowed, for which the applicant thanks the Examiner.

Claims 3-5 have been withdrawn from consideration.

Claim 6 is a new independent claim directed to a track assembly. Applicant respectfully submits that claim 6 should be allowed as it is directed to an invention that is not shown or

suggested by the cited prior art. Accordingly, new claims 7-11, which depend from claim 6 should also be allowed.

Claim 12 depends from amended claim 1. As noted above, claim 1 should be allowed over the cited Lykken reference, and therefore claim 12 should also be allowable.

In light of the foregoing, Applicant respectfully submits that claims 1, 2, and 6-12 should be allowed.

Respectfully submitted,

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